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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Guillet et al.	Examiner:	DeCloux, A.
Serial No.:	09/403,627	Group Art Unit:	1644
Filed:	May 31, 2000	Docket:	759-11
For:	PEPTIDE ANALOGUES, AND THEIR USES IN PARTICULAR IN PHARMACEUTICAL COMPOSITIONS AND FOR DIAGNOSIS	Dated:	April 18, 2002

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action of December 18, 2001, the Examiner required an election of one of the twelve groups of claims restricted under 35 U.S.C. §§121 and 372 as follows:

- Group I: Claims 21-34, 65-71 and 76-79 drawn to peptide analogs and claims 61-64 drawn to methods of prevention/treatment using these peptides.
- Group II: Claims 21, 35-38 drawn to peptide analogs that induce CTLs and/or *in vitro* cytolysis of target cells and/or cytokine secretion *in vitro*.
- Group III: Claims 21, 35-38 drawn to peptide analogs that induce CTLs but not *in vitro* cytolysis of target cells and not cytokine secretion *in vitro*.
- Group IV: Claims 21, 39-48 drawn to peptide analogs of peptides involved in melanoma.
- Group V: Claims 21, 49-54, 72-73 and 77 drawn to peptide analogs of peptides involved in influenza, and vaccine compositions thereof.

- Group VI: Claims 21, 55-60 and 74-75 drawn to peptide analogs of peptides of the AIDS virus, including NEF 84-92 or GAG 77-85 and vaccine compositions thereof.
- Group VII: Claims 80-83 drawn to complexes of the peptide analog of a parent peptide.
- Group VIII: Claims 84-85 drawn to a method for *in vitro* diagnosis of a pathological condition.
- Group IX: Claims 86-89 drawn to a kit including a peptide analog and reagent for detecting an MHC-peptide analog-TCR ternary complex.
- Group X: Claims 90-93 drawn to antibodies directed to a complex of the peptide analog and a component of the MHC, and pharmaceutical compositions thereof.
- Group XI: Claims 94-98 drawn to a process for screening peptide analogs.
- Group XII: Claims 99-103 drawn to a kit including molecules of MHC and an antibody directed to an MHC conformation dependent on binding to the peptide analogs.

In addition, the Examiner required election of a species to be searched in examining the claims. The species election requirement for each group was as follows:

- Group I: (1) A method of either prevention or treatment
(2) A specific pathological condition.
(3) A specific immune response.

Group II: First, a specific combination of one or more of the following six properties of the peptide analog:

- (1) The peptide analog induces appearance and growth of CTLs *in vitro* in presence of factors required for growth and differentiation of CTLs.
- (2) The peptide analog induces *in vitro* cytolysis of target cells by means of CTLs wherein the cells having the peptide analog associated with MHC at their surface.
- (3) The peptide analog induces *in vitro* secretion of cytokine/interleukin by means of CTLs, the parent peptide and peptide analog being TCR agonists.
- (4) The peptide analog induces *in vitro* secretion of cytokine/interleukin by means of CTLs, the peptide analog being a TCR agonist and the parent peptide being a TCR antagonist.
- (5) The peptide analog induces *in vitro* secretion of cytokine/interleukin by means of CTLs, the peptide analog being a TCR agonist and the parent peptide being a partial TCR agonist.
- (6) The peptide analog induces *in vitro* secretion of cytokine/interleukin by means of CTLs, the peptide analog being a partial TCR agonist and the parent peptide being a TCR agonist, wherein the peptide analog induces secretion of one/or more cytokines other than those induced by the parent peptide.

Second, a specific cytokine or interleukin.

Group III: A specific cytokine or interleukin.

Group IV: A specific parent peptide involved in melanoma.

A specific peptide analog such as in claim 42 or claim 48.

Group V: A specific parent peptide involved in influenza virus disease.

A specific peptide analog such as in claim 52 or claim 54.

Group VI: A specific parent peptide of the AIDS virus, such as in claim 56.

A specific peptide analog such as in claim 58, 59 or claim 60.

Groups VII or VIII: A complex of a specific pathological condition.

A complex of a specific cell mediated immune response.

A complex including a specific component of the MHC.

A complex including a specific T-cell receptor.

Group IX: A specific reagent for detection of the MHC-peptide analog-TCR
ternary complex.

Group X: A specific antibody.

Group XI: A specific first antibody.

A specific cell line derived from a specific species.

A specific second antibody or a specific molecule that binds the MHC
molecules in the claimed conformation.

Group XII: A specific antibody or a specific molecule that binds the MHC
molecules in the claimed conformation.

A specific control peptide or control peptide analog.

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Applicants hereby elect the claims of Group VI, claims 55-60 and 74-75. Applicants further elect NEF 84-92 as the parent peptide of the AIDS virus and NEFHEA1 (AΨ(CHOH-NH)VDLSHFLK) as the specific peptide analog.

In view of the present election, applicant respectfully submits that this application is now in condition for examination on the merits. If, for any reason, the application is not deemed in condition for examination on the merits, the Examiner is invited to contact applicants' attorney at the telephone number indicated below.

Respectfully submitted,



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